

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

0739-0138PUS1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/501481

INTERNATIONAL APPLICATION NO.

PCT/DE03/00084

INTERNATIONAL FILING DATE

January 14, 2003

PRIORITY DATE CLAIMED

January 15, 2002

TITLE OF INVENTION

APPARATUS FOR CUTTING SHEET MATERIALS CONSISTING MAINLY OF MINERAL SUBSTANCES (As Amended)

APPLICANT(S) FOR DO/EO/US

Frank REICHEL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not transmitted by the International Bureau). WO 03/059829 A2
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - a. ☐ is attached hereto.
 - b. ☐ has been submitted to the Internal Bureau (See Box VIII-4-1 of the Request (PCT/R0/101), **copy attached**).
The Power of Attorney or Authorization of Agent and Certificate under 37 CFR 3.73(b) Showing Chain of Title are: ☐ attached hereto. ☐ will follow.
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449(s), and International Search Report (PCT/ISA/210) with 0 cited document(s).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
PCT/IPEA/409

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold;">10/501 481</div>		INTERNATIONAL APPLICATION NO PCT/DE03/00084		ATTORNEY'S DOCKET NUMBER 0739-0138PUS1	
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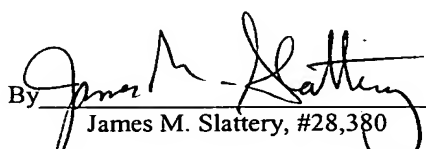
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1,080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: right;">\$</td> <td style="width:20%;"></td> </tr> <tr> <td></td> <td style="text-align: right;">1080.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: right;">130.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: right;">0.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: right;">0.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: right;">0.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: right;">\$ 1210.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.</td> <td style="text-align: right;">\$ 605.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>SUBTOTAL =</td> <td style="text-align: right;">\$ 605.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).</td> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>TOTAL NATIONAL FEE =</td> <td style="text-align: right;">\$ 605.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td>TOTAL FEES ENCLOSED =</td> <td style="text-align: right;">\$ 605.00</td> <td></td> </tr> <tr> <td colspan="3" style="height: 10px;"></td> </tr> <tr> <td></td> <td style="text-align: right;">Amount to be: refunded</td> <td style="text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: right;">charged</td> <td style="text-align: right;">\$</td> </tr> </table>		CALCULATIONS		PTO USE ONLY		\$			1080.00						130.00						0.00						0.00						0.00					TOTAL OF ABOVE CALCULATIONS =	\$ 1210.00					<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.	\$ 605.00					SUBTOTAL =	\$ 605.00					Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).	\$ 0.00					TOTAL NATIONAL FEE =	\$ 605.00					Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$ 0.00					TOTAL FEES ENCLOSED =	\$ 605.00						Amount to be: refunded	\$		charged	\$
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a. <input checked="" type="checkbox"/> A check in the amount of \$605.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account. No. 02-2448 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-2448.	
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NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:
Birch, Stewart, Kolasch & Birch, LLP or Customer No. 02292
 P.O. Box 747
 Falls Church, VA 22040-0747
 (703) 205-8000

Date: July 14, 2004

By 
 James M. Slattery, #28,380

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